

Remarks

Applicants appreciate the acceptance of the drawings in the application.

Applicants hereby add new claims 37-41 and cancel claim 4. The new claims and claim amendments are supported at least by the teachings of Figs. 2 and 3 and the respective teachings of the specification including paragraphs 0031-0037.

Claims 33-36 stand rejected under 35 USC 101. Claims 1, 16, 21, 26, 27 and 33 stand rejected under 35 USC 112, second paragraph. Claims 1-8, 14-16, 21-22, and 26-35 stand rejected under 35 USC 103(a) for obviousness over U.S. Patent No. 6,411,742 B1 to Peterson in combination with U.S. Patent Publication No. 2003/0076406 to Peleg. Claims 9-11, 23 and 26 stand rejected under 35 USC 103(a) for obviousness over Peterson in combination with Peleg and further in view of U.S. Patent No. 6,434,280 B1 to Peleg. Claims 12, 13, 17-20, 24 and 25 stand rejected under 35 USC 103(a) for obviousness over Peterson in combination with Peleg and further in view of U.S. Patent No. 6,434,265 B1 to Xiong et al.

Applicants respectfully request reconsideration of the rejections.

Referring to the 101 rejections, Applicants have amended claim 33 to recite that the computer readable medium stores the software. Applicants respectfully submit that the computer readable medium which stores the software is statutory subject matter and Applicants respectfully request withdrawal of the 101 rejections.

Referring to the 112 rejections, Applicants have removed the language objected to by the Examiner or have amended the claims to clarify the claim limitations in the claims where such language has not been removed (e.g., claims 21 and 26). Applicants respectfully submit that the claims are definite to one of ordinary skill in the art.

Referring to the prior art rejections, the Office has taken the position in the Office Action that the limitations added by Applicant's previous response overcome the anticipation rejections over Peterson but the claims are obvious over the teachings of Peleg '406 in combination with the teachings of Peterson. Applicants have amended some of the independent claims as indicated herein to remove limitations added by the prior response. Applicants respectfully submit that the claims are allowable over Peterson taken alone or in combination with Peleg '406

for the below-mentioned compelling reasons.

Referring to independent claim 1, the prior art including Peterson and Peleg '406 fail to teach or suggest the claimed limitations of *determining differences between the overlapping two strips in combination with determining a line through the overlapping strips where the differences between the overlapping strips are minimized.*

The Office relies upon the teachings of col. 3, line 59 of Peterson disclosing that the software 14 determines the relative positions of the segments depicted in two of the images as teaching the claimed limitations of determining differences. Applicants respectfully submit that the determining of the relative positions of Peterson fails to teach or suggest the claimed limitations. In particular, as shown in Fig. 2B, some portions of the images 18a-18d of Fig. 2A overlap one another and the software 14 operates to overlap respective portions of the images to create the image of Fig. 2B. However, Applicants have failed to uncover any teachings in Peterson that the software 14 determines differences between the portions of images 18a-18d which overlap one another.

Applicants respectfully submit that the above-recited limitations reciting *determining differences between the overlapping two strips* are not disclosed nor suggested by the prior art and the rejection of claim 1 is improper for at least this reason.

Furthermore, Peterson and Peleg '406 fail to teach or suggest the limitations of *determining a line through the overlapping strips where the differences between the overlapping strips are minimized.*

The Office relies upon the teachings of col. 5, line 25 of Peterson as teaching the above-recited determining limitations. As set forth in such teachings, the dividing-line determiner 54 determines a pair of points 76, 78 where the images intersect and defines a line 80 that divides the outline into two sections. Referring to Fig. 3A (step 214), Peterson merely teaches that the longest line joining points where the borders of the images intersect is used with no teaching to differences or determining the line where the differences between the overlapping strips are minimized. Peterson merely teaches that a line is drawn based upon the intersection points of the images, and selecting the longest line between intersection points of the images, and fails to refer to any teachings of differences

between the overlapping strips or that the line is determined through the overlapping strips where the differences between the overlapping strips are minimized.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 1 is improper for at least this reason.

Applicants respectfully request withdrawal of the prior art rejections of claim 1 and allowance of claim 1 in the next Action.

The claims which depend from independent claim 1 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 16, Peterson and Peleg '406 fail to teach or suggest the claimed limitations of *selecting a strip in each image where the two images overlap and the selecting comprises selecting the overlapping strips which have reduced error between the selected overlapping strips compared with other non-selected overlapping strips of the two images.*

Applicants have failed to uncover in the prior art any selection of overlapping strips having reduced error and Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 16 is improper for at least this reason.

Furthermore, the prior art fails to teach or suggest the claimed limitations of *determining a line through the overlapping strips where differences between the overlapping strips are minimized.* In particular, Peterson merely teaches that the longest line joining points where the borders of the images intersect is used to define the line with no teaching of determining the line where the differences between the overlapping strips are minimized.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 16 is improper for at least this reason.

Applicants respectfully request withdrawal of the prior art rejections of claim 16 and allowance of claim 16 in the next Action.

The claims which depend from independent claim 16 are in condition for

allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 21, Peterson and Peleg '406 fail to teach or suggest the limitations of the *computer configured to determine pixel difference values between the overlapping two strips*.

The Office at page 10 of the Action states that claim 21 equally discloses the claimed invention of claim 1 and is rejected for the same reasons as listed for claim 1. Applicants respectfully submit the rejection is in error. More specifically, Applicants initially note that claim 1 fails to recite the limitations of determining pixel difference values as recited in claim 21 and the Office has failed to identify any teachings in the prior art of such limitations. Applicants have failed to locate any teachings in Peterson of the limitations of the *computer configured to determine pixel difference values between the overlapping two strips*.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 21 is improper for at least this reason.

In addition, the prior art fails to teach or suggest the claimed limitations of the *computer configured to determine a line through the overlapping strips where the sum of the pixel difference values between the overlapping strips are minimized*. In particular, Peterson merely teaches that the longest line joining points where the borders of the images intersect is used to determine the line with no teaching of the claimed *computer configured to determine the line where the differences between the overlapping strips are minimized*.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 21 is improper for at least this reason.

Applicants respectfully request withdrawal of the prior art rejections of claim 21 and allowance of claim 21 in the next Action.

The claims which depend from independent claim 21 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 26, Peterson and Peleg '406 fail to teach or suggest the limitations of the *means for calculating difference values between image data content of respective pixels of the two images in corresponding strips of uniform length in the at least one region of overlap.*

The Office at page 10 of the Action states that claim 26 equally discloses the claimed invention of claim 1 and is rejected for the same reasons as listed for claim 1. Applicants respectfully submit the rejection is in error. More specifically, Applicants initially note that claim 1 fails to recite the limitations of claim 26 of calculating difference values between the pixels of two images as recited in the previously pending claim 26. The Office has failed to identify any teachings in the prior art of such limitations let alone the amended limitations of *calculating difference values between image data content of respective pixels of the two images.* Applicants have failed to locate any teachings in Peterson of these claimed limitations.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 26 is improper for at least this reason.

In addition, the prior art fails to teach or suggest the claimed limitations of the *means for determining a cut line through the two images where the difference values are minimized.* In particular, Peterson merely teaches that the longest line joining points where the borders of the images intersect is used with no teaching of the *means for determining a cut line through the two images where the difference values are minimized.*

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 26 is improper for at least this reason.

Applicants respectfully request withdrawal of the prior art rejections of claim 26 and allowance of claim 26 in the next Action.

The claims which depend from independent claim 26 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 27, Peterson and Peleg '406 fail to teach or suggest the claimed limitations of the *second computing module calculating difference values between the pixels of the two images in the at least one region of overlap*.

The Office relies upon the teachings of col. 3, lines 59+ of Peterson as allegedly teaching the above-recited limitations. However, Peterson fails to provide any teachings that the image stitching software 14 which determines the relative positions of the segments teaches the *module calculating difference values between the pixels of the two images in the at least one region of overlap* as specifically claimed. Furthermore, Peterson fails to teach or suggest the claimed *difference values individually correspond to a difference of image data content between a pair of corresponding pixels of the two images*.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 27 is improper for at least this reason.

In addition, the prior art fails to teach or suggest the claimed limitations of the *third computing module determining a cut line through the two images where the difference values are minimized*. In particular, Peterson merely teaches that the longest line joining points where the borders of the images intersect is used and fails to teach the third computing module determining the cut line through the two images where the difference values are minimized.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 27 is improper for at least this reason.

Applicants respectfully request withdrawal of the prior art rejections of claim 27 and allowance of claim 27 in the next Action.

The claims which depend from independent claim 27 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 33, the prior art including Peterson and Peleg '406 fail to teach or suggest the claimed limitations of *determining differences*

between the overlapping two strips in combination with determining a line through the overlapping strips where the differences between the overlapping strips are minimized.

The Office relies upon the teachings of col. 3, line 59 of Peterson disclosing that the software 14 determines the relative positions of the segments depicted in two of the images as teaching the claimed determining differences. Applicants respectfully submit that the determining of the relative positions fails to teach or suggest the claimed limitations. In particular, as shown in Fig. 2B, some portions of the images 18a-18d of Fig. 2A overlap one another and the software 14 operates to overlap respective portions of the images to create the image of Fig. 2B. However, Applicants have failed to uncover any teachings in Peterson that the software 14 determines differences between the portions of images 18a-18d which overlap one another.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 33 is improper for at least this reason.

Furthermore, Peterson and Peleg '406 fail to teach or suggest the limitations of *determining a line through the overlapping strips where the differences between the overlapping strips are minimized.*

The Office relies upon the teachings of col. 5, line 25 of Peterson as teaching the above-recited determining limitations. As set forth in such teachings, the dividing-line determiner 54 determines a pair of points 76, 78 where the images intersect and defines a line 80 that divides the outline into two sections. Referring to Fig. 3A (step 214), Peterson merely teaches that *the longest line joining points where the borders of the images intersect is used* with no teaching of determining the line through the overlapping strips where the differences between the overlapping strips are minimized.

Applicants respectfully submit that the above-recited limitations are not disclosed nor suggested by the prior art and the rejection of claim 33 is improper for at least this reason.

Applicants respectfully request withdrawal of the prior art rejections of claim 33 and allowance of claim 33 in the next Action.

The claims which depend from independent claim 33 are in condition for

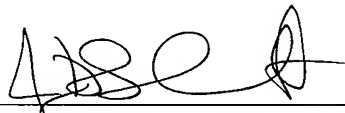
allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Applicants respectfully request allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,
D. Amnon Silverstein et al.

By:



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